

B. AMENDMENTS TO THE CLAIMS

Claims 19 and 20 have been cancelled without prejudice.

21. (Currently amended) The method of Claim 20 34 wherein said treatment results in a durable remission of said diabetes.

Claims 22 and 23 have been cancelled without prejudice.

24. (Currently amended) The method of Claim 19 34 wherein said administration of said one or more non-mitogenic anti-CD3 active compounds is a non-chronic administration.

Claims 25-27 have been cancelled without prejudice.

28. (Currently amended) The method of Claim 19 34 wherein said non-mitogenic anti-CD3 active compound is a non-mitogenic anti-CD3 monoclonal antibody (Fab')₂ fragment.

29. (Currently amended) The method of Claim 19 34 wherein said non-mitogenic anti-CD3 active compound is a non-mitogenic anti-CD3 antibody.

30. (Previously presented) The method of Claim 29 wherein said non-mitogenic anti-CD3 active compound is a non-mitogenic anti-CD3 monoclonal antibody.

31. (Previously presented) The method of Claim 30 wherein said monoclonal antibody is selected from the group consisting of murine or humanized antibody.

32. (Currently amended) The method of Claim 19 34 wherein said compound is highly purified and endotoxin-free.

33. (Currently amended) The method of Claim 19 34 wherein said active compound is administered by injection.

34. (New) A method of treating an ongoing autoimmune disease in a human having said disease, wherein said disease is diabetes, comprising:

treating said human by administering one or more non-mitogenic anti-CD3 active compounds selected from the group consisting of CD3 antibodies and fragments of CD3 antibodies in an amount effective to treat said diabetes.

35. (New) The method of Claim 34 wherein said non-mitogenic anti-CD3 active compound is administered in an injectable form that contains from 5 to 20 mg of the non-mitogenic anti CD3 active compound.